

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**JO TANKERS AS,**

**Interpleader-Plaintiff,**

V.

**BERGEN BUNKERS, AS,  
NUSTAR ENERGY SERVICES, INC.,  
O.W. BUNKER USA, INC., and  
ING BANK,**

### Interpleader-Defendants.

**§**

**Civil Action No. 4:14-CV-03310**

**Filed under Rule 9(h) Fed. R. Civ. P.**

(ADMIRALTY)

**UNOPPOSED MOTION FOR LEAVE TO FILE FIRST AMENDED ANSWER AND  
VERIFIED CLAIM AND CROSSCLAIM**

Interpleader-Defendant-Claimant NuStar Energy Services, Inc. (“NuStar”) respectfully requests leave of court to amend its Original Answer and Verified Claim, as permitted by Fed. R. Civ. P. 15(a), and in support would show the Court as follows:

Pursuant to the Court's order of December 1, 2015, the deadline to seek leave to amend pleadings is Wednesday, December 30, 2015.

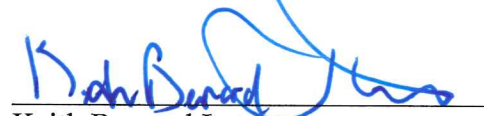
Plaintiff respectfully requests the Court allow the filing of NuStar's First Amended Answer and Verified Claim and Crossclaim. The amendment is being made to add a crossclaim against Interpleader-Defendant-Claimant ING Bank, N.V. for unjust enrichment, as set forth in the proposed First Amended Answer and Verified Claim and Crossclaim being filed herewith as Exhibit 1. This crossclaim was not included in NuStar's previously-filed Original Answer and Verified Claim.

This motion is not made for the purposes of delay but to promote judicial economy and efficiency. Undersigned counsel has conferred with counsel for the other parties in this action, all of whom confirm they are unopposed to this motion for leave.

For these reasons, NuStar Energy Services, Inc. asks the Court to grant its motion for leave to file its First Amended Answer and Verified Claim and Crossclaim, and for such other and further relief as may be just and proper.

Respectfully submitted,

**BLANK ROME, LLP**



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**OF COUNSEL:**

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**BLANK ROME LLP**

**CERTIFICATE OF CONFERENCE**

I hereby certify that my office conferred with counsel for Plaintiff Jo Tankers AS and Interpleader-Defendant-Claimant ING Bank, N.V. and they confirmed that they are unopposed to the relief requested in this Motion.

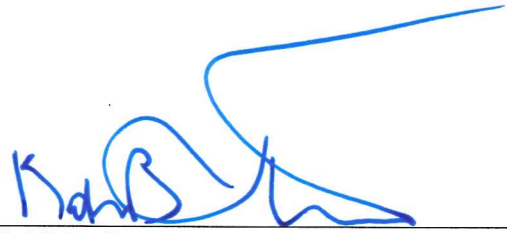
  
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Keith B. Letourneau

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served pursuant to Rule 5 of the Federal Rules of Civil Procedure on this 30<sup>th</sup> day of December, 2015, as follows:

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